Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

City of Whitney, 105 Cleveland Avenue, Whitney, Hill County

Type of Operation:

Municipal public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 9, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$2,500

Amount Deferred for Expedited Settlement: \$500 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$2,000 Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: \$49

Applicable Penalty Policy: September 2002

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: April 28, 2011

Date(s) of NOE(s): May 19, 2011

Violation Information

- 1. Failed to collect and submit raw water samples for microbiological analysis prior to placing existing wells that were reworked back into service [30 Tex. Admin. Code § 290.41(c)(3)(F)(i)].
- 2. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day [30 Tex. Admin. Code § 290.110(c)(4)(B)].
- 3. Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data [30 Tex. Admin. Code § 290.41(c)(3)(N)].
- 4. Failed to maintain copies of Facility records that are kept on file or stored electronically and made accessible for review during inspections [30 Tex. Admin. Code §§ 290.46(f)(2) and 290.46(f)(3)(B)(vi)].
- 5. Failed to test all backflow prevention assemblies on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications [30 Tex. Admin. Code § 290.44(h)(4)].
- 6. Failed to ensure that a backflow prevention assembly or an air gap is installed at all residences and establishments where an actual or potential contamination hazard exists and failed to implement an internal cross-connection control program [30 Tex. ADMIN. CODE § 290.44(h)(1)(A) and (h)(1)(B)].
- 7. Failed to post a legible sign at the Facility's production, treatment and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted [30 Tex. Admin. Code § 290.46(t)].
- 8. Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency [30 Tex. ADMIN. CODE § 290.42(e)(4)(A)].
- 9. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed [30 Tex. ADMIN. CODE § 290.42(e)(4)(C)].

10. Failed to provide all water storage tanks with a water level indicator located at the tank site [30 Tex. Admin. Code § 290.43(c)(4)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility as of May 12, 2011:

- a. Provided the Facility's chlorine residual monitoring log for the month of April 2011 that showed the disinfectant residual was being monitored at representative locations in the distribution system at least once per day;
- b. Provided the backflow prevention assembly test report for the device located at the wastewater treatment plant;
- c. Posted a legible sign at the Facility's Railroad well site that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted;
- d. Installed high level vents for the chlorine enclosures at the North Plant and the Main Plant;
- e. Provided a small bottle of fresh ammonia solution that is readily accessible outside the chlorinator room;
- f. Installed a water level indicator for the elevated tank and ground storage tank at the North Plant; and
- g. Implement a protocol to ensure that all necessary raw water samples are collected and submitted prior to placing a reworked well back into service.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
- i. Provide an accurate flow measuring device for the Facility's Railroad well;
- ii. Provide the backflow prevention assembly test report for the device located at Dr. Cofer Dental Clinic located at 1502 North Brazos Street in Whitney;
- iii. Test the backflow prevention assembly device at the U Wash Car Wash and Lake Whitney Medical Center by a recognized backflow assembly tester and certify that the assemblies are operating within specifications; and

iv. Install a reduced pressure principle backflow prevention assembly or an air gap at the Whitney Veterinary Clinic and implement an internal cross-connection control program.

b. Within 45 days, submit written certification demonstrating compliance.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Epifanio Villarreal, Enforcement Division, Enforcement Team 2, MC R-14, (361) 825-3425; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

TCEQ SEP Coordinator: N/A

Respondent: The Honorable Kristen Miller, Mayor, City of Whitney, P.O. Box 2050,

Whitney, Texas 76692

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW) PCW Revision October 30, 2008 Policy Revision 2 (September 2002) Assigned 31-May-2011 Screening 2-Jun-2011 **EPA Due** PCW 2-Jun-2011 RESPONDENT/FACILITY INFORMATION Respondent City of Whitney Reg. Ent. Ref. No. RN102688934 Major/Minor Source Minor Facility/Site Region 9-Waco **CASE INFORMATION** No. of Violations 10 Enf./Case ID No. 41746 Docket No. 2011-0856-PWS-E Order Type 1660 Media Program(s) Public Water Supply Government/Non-Profit Yes Enf. Coordinator Epifanio Villarreal Multi-Media EC's Team Enforcement Team 2 \$1,000 Admin. Penalty \$ Limit Minimum \$50 Maximum Penalty Calculation Section \$2,560 TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. \$128 Compliance History 5.0% Enhancement Subtotals 2, 3, & 7 Enhancement for one NOV with same/similar violations. Notes Subtotal 4 \$0 0.0% Enhancement Culpability No The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$237 Economic Benefit 0.0% Enhancement* Subtotal 6 \$0 Total EB Amounts *Capped at the Total EB \$ Amount \$308 Approx. Cost of Compliance \$2,451 Final Subtotal SUM OF SUBTOTALS 1-7 \$0 Adjustment OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Reduces or enhances the Final Subtotal by the indicated percentage Notes

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Final Penalty Amount

Final Assessed Penalty

Reduction Adjustment

20.0%

\$2,451

\$2,500

-\$500

\$2,000

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Docket No. 2011-0856-PWS-E

Screening Date 2-Jun-2011

Respondent City of Whitney

Case ID No. 41746

Reg. Ent. Reference No. RN102688934

Media [Statute] Public Water Supply Enf. Coordinator Epifanio Villarreal

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2) Component Enter Number Here Adjust. Number of... Written notices of violation ("NOVs") with same or similar violations as those in 5% the current enforcement action (number of NOVs meeting criteria) NOVs Other written NOVs 0 0% Any agreed final enforcement orders containing a denial of liability (number of 0 0% orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders Orders without a denial of liability, or default orders of this state or the federal n 0% government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements 0 0% Judgments or consent decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-Decrees adjudicated final court judgments or consent decrees without a denial of liability, 0 0% of this state or the federal government Any criminal convictions of this state or the federal government (number of 0 0% Convictions counts) Chronic excessive emissions events (number of events) O 0% **Emissions** Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0 0% 1995 (number of audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which Ω 0% violations were disclosed) Please Enter Yes or No Environmental management systems in place for one year or more No 0% Voluntary on-site compliance assessments conducted by the executive director 0% No under a special assistance program Other 0% Participation in a voluntary pollution reduction program No Early compliance with, or offer of a product that meets future state or federal No 0% government environmental requirements Adjustment Percentage (Subtotal 2) >> Repeat Violator (Subtotal 3) Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) Adjustment Percentage (Subtotal 7) Average Performer >> Compliance History Summary Compliance History Enhancement for one NOV with same/similar violations. Notes

Total Adjustment Percentage (Subtotals 2, 3, & 7)

5%

Screening Date		Docket No. 2011-0856-PWS-E	PCW
Respondent Case ID No.			Policy Revision 2 (September 2002)
Reg. Ent. Reference No.			PCW Revision October 30, 2008
Media [Statute]			
Enf. Coordinator Violation Number			Accounts and
Rule Cite(s)	30 1ex	c. Admin. Code § 290.41(c)(3)(F)(i)	
Violation Description	placing existing wells that w of the investigation, it was taken out of service for pu March 2, 2011 and from No	t raw water samples for microbiological analysivere reworked back into service. Specifically, a documented that the Main Well and the Northomp and motor maintenance from February 9, exember 9, 2010 to December 6, 2010, respectallysis were not collected after the rework of the were completed.	t the time Well were 2011 to tively and
		Base	Penalty \$1,000
>> Environmental, Proper	ty and Human Health	n Matrix	
Release	Harm	Minor	
OR Actual		1	
Potential	X	Percent 25%	:
>>Programmatic Matrix			
Falsification	Major Moderate	Minor Percent 0%	
Company of the State of the Sta			
Matrix back into serv	ice may not ensure the sour	nicrobiological analysis prior to placing a rewor ce water is free from a significant amount of u ld exceed levels protective of human health.	
	<u> </u>	Adjustment	\$750
		Aojustinent	
			\$250
Violation Events			
Number of	Violation Events 2	Number of violation	days
mark only one with an x	daily weekly monthly quarterly semiannual annual single event x	Violation Base	e Penalty \$500
Two single ev	rents are recommended (one	e event per well where microbiological samples collected).	were not
Good Faith Efforts to Com	0.0% vla	6 Reduction	\$0
	Before NOV	NOV to EDPRP/Settlement Offer	**************************************
	Extraordinary Ordinary		
	N/A X	(mark with x)	
	Notes The Respon	ident does not meet the good faith criteria for this violation.	
		Violation	Subtotal \$500
30000000000000000000000000000000000000	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Economic Benefit (EB) for	this violation	Statutory Limit	lest
Estimat	ed EB Amount	\$159 Violation Final Pena	alty Total \$525
	This vic	olation Final Assessed Penalty (adjusted f	or limits) \$525

Violation No. Item Description	Public Water S 1 Item Cost	,uppi,			 In the second of the	Percent Interest	
		(4)488885544545353453383838385555			Salara VIII vienie stali		Depreciation
Item Description	Thom Cost					5.0	1!
Item Description	Trem rosr	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	No commas or \$						
and the second of the second o		na harriana ili vintonio					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	50	\$0	<u>\$0</u>
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System		<u> </u>		0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling		<u> </u>		0.00		n/a	\$0 \$0
Remediation/Disposal		<u> </u>	ļ	0.00	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs Other (as needed)	\$100	28-Apr-2011	12-May-2011	0.00	\$0 \$0	n/a	\$0 \$0
		vhen an existing v	vell has been re	worked	and returned to s	o ensure all necessa ervice. The date rec	ary samples are quired is the
Notes for DELAYED costs		investig	vell has been re- pation date. The	worked final di	and returned to s ate is the date of o	ervice. The date re- ompliance.	quired is the
Avoided Costs		investig	vell has been re- pation date. The	worked final di enterir	and returned to sate is the date of one of the date of	ervice. The date re- compliance. for one-time avoid	quired is the
Avoided Costs Disposal		investig	vell has been re- pation date. The	worked final di enterir 0.00	and returned to sate is the date of one of the date of one of the date of the	ervice. The date re- compliance. for one-time avoid	quired is the ded costs) \$0
Avoided Costs Disposal Personnel		investig	vell has been re- pation date. The	worked final di enterir 0.00	and returned to sate is the date of one of the date of one of the date of the	ervice. The date recompliance. for one-time avoid \$0 \$0	quired is the ded costs) \$0 \$0
Avoided Costs Disposal Personnel Dection/Reporting/Sampling		investig	vell has been re- pation date. The	worked final disentering 0.00 0.00 0.00	and returned to sate is the date of one item (except \$0 \$0 \$0	ervice. The date recompliance. For one-time avoid \$0 \$0 \$0	ded costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/equipment		investig	vell has been re- pation date. The	enterir 0.00 0.00 0.00 0.00	and returned to sate is the date of congitem (except \$0 \$0 \$0 \$0	ervice. The date recompliance. for one-time avoiding \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Dection/Reporting/Sampling		investig	vell has been re- pation date. The	worked final disentering 0.00 0.00 0.00	and returned to sate is the date of one item (except \$0 \$0 \$0	ervice. The date recompliance. For one-time avoid \$0 \$0 \$0	ded costs) \$0 \$0 \$0

Screening Date	2-Jun-2011	Docket No. 2011-0856-PWS-E	PCW
Respondent Case ID No. Reg. Ent. Reference No. Media [Statute]	41746 RN102688934 Public Water Supply		Policy Revision 2 (September 2002) PCW Revision October 30, 2008
Enf. Coordinator Violation Number			***************************************
Rule Cite(s)		ex, Admin. Code § 290.110(c)(4)(B)	
Violation Description	distribution system at lea residual monitoring logs fo	ectant residual at representative locations through st once per day. Specifically, a review of the dising the month of March 2011 revealed that monito being conducted on the weekends.	fectant
		Base	Penalty \$1,000
>> Environmental, Proper		n Matrix	and the second s
OR Release OR Actual Potential		Minor Percent 10%	
>> Programmatic Matrix Falsification	Major Moderate	Minor Percent 0%	
Matrix Notes Failure to m water supply t	to a significant amount of ba	ual at least once per day could expose customers interological contamination which would not excerotective of human health.	of the ed levels
		Adjustment	\$900
			\$100
Violation Events			
Number of	Violation Events 1	Number of violation d	ays
	daily weekly monthly		e e e e e e e e e e e e e e e e e e e
mark only one with an x	quarterly x semiannual annual single event	Violation Base	Penalty \$100
One quarterly		culated from the date of the investigation, April 2 of compliance, May 12, 2011.	8, 2011,
Good Faith Efforts to Com		Reduction	\$25
	Extraordinary Ordinary X	NOV to EDPRP/Settlement Offer (mark with x)	
	N/A Notes The Respo	ondent achieved compliance on May 12, 2011.	
		Violation	Subtotal \$75
Economic Benefit (EB) for	this violation	Statutory Limit	Test
Estimat	ed EB Amount	\$30 Violation Final Pena	Ity Total \$80
	This v	iolation Final Assessed Penalty (adjusted fo	r limits) \$80

Picula	RN102688934 Public Water S	Sunnly			a war in a said		Years of
Violation No.		очррія			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Percent Interest	Depreciation
• ioiation ita	_					5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction]		0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0,00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	<u></u>			0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs							
	ANNUAL	IZE [1] avoided	costs before	enterin	ng item (except	for one-time avoi	ded costs)
Notes for DELAYED costs Avoided Costs Disposal	ANNUAL	IZE [1] avoided	costs before	0.00	\$0	\$0	\$0
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0

Screening Date		Docket No. 2011-0856-PWS-E	PCW
Respondent Case ID No.			Policy Revision 2 (September 2002) PCW Revision October 30, 2008
Reg. Ent. Reference No.			PCW REVISION October 30, 2006
Media [Statute]	Public Water Supply		
Enf. Coordinator			
Violation Number Rule Cite(s)			
	30 Tex	. Admin. Code § 290.41(c)(3)(N)	
	and provide for the accumula	uring device for each well to measure product tion of water production data. Specifically, at	the time
Violation Description		ented that the well meter for the Railroad well Association standards and did not accurately production yields.	
		Base	Penalty \$1,000
>> Environmental, Proper	ty and Human Health I	Matrix	
Release	Harm Major Moderate	Minor	
OR Actual			
Potential	X	Percent 10%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor Percent 0%	
		referre 070	-
		ring device for the well could lead to incorrect	
		or from obtaining accurate well production da ion of raw water, thereby exposing consumers	
		would not exceed levels protective of human l	
			4000
		Adjustment	\$900
			\$100
Violation Events			
	Violation Events 1	Number of violation o	days
	daily		
	weekly		
mark only one	monthly x	Violation Base	Penalty \$100
with an x	semiannual		
	annual single event		
	Single event 1		***
One quarterly	event is recommended, calcul	ated from the date of the investigation, April 2	28, 2011,
	to the date of	screening, June 2, 2011.	
O	-t.: 0.0%		\$0
Good Faith Efforts to Com	Before NOV	Reduction NOV to EDPRP/Settlement Offer	Ψ0
	Extraordinary		
	Ordinary X	mark with x)	
1 1 1		ent does not meet the good faith criteria for	
	Notes The Responde	this violation.	
		Violation	Subtotal \$100
Economic Benefit (EB) for	this violation	Statutory Limit	Test
Estimat	ed EB Amount	\$16 Violation Final Pena	ilty Total \$105
Localida	Company	ation Final Assessed Penalty (adjusted fo	
	i nis Viol	auon Filiai Assesseu Peliaity (aujusteu 10	n mines) \$103

Case ID No.					trai.	in and the	
eg. Ent. Reference No. Media Violation No.	Public Water S	Supply			anders († 1925) 1941 - Arthur Mary, de skriver 1941 - Arthur Mary, de skriver	Percent Interest	Years of Depreciation
violation ivo.	J					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				10.24234410000			
Delayed Costs	-				r	F	410
Equipment	\$300	28-Apr-2011	1-Feb-2012	0.76	\$1	\$15	\$16
Buildings		1		0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	<u>\$∪</u> \$0
Engineering/construction		<u> </u>		0.00	\$0	\$0	\$0 \$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0 20	n/a	\$0 \$0
Remediation/Disposal				0.00	\$0	n/a	
				1 0 00	4.7		→ A
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
	The delayed	costs include the	estimated amo	0,00 unt to 1	\$0	n/a neter, calculated fro	\$0
Other (as needed) Notes for DELAYED costs		the ir	ivestigation to 1	0.00 unt to I the esti	\$0 install a new well r imated date of cor	n/a neter, calculated fro npliance:	\$0 om the date of
Other (as needed) Notes for DELAYED costs Avoided Costs		the ir	ivestigation to 1	0.00 unt to I the esti	\$0 install a new well r imated date of cor	n/a neter, calculated fro	\$0 om the date of
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal		the ir	ivestigation to 1	0.00 unt to I the esti enterin	\$0 Install a new well reimated date of coring item (except)	n/a neter, calculated fro npliance. for one-time avoi	\$0 om the date of ded costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		the ir	ivestigation to 1	0.00 unt to i the esti enterii 0.00 0.00	\$0 install a new well r imated date of cor ng item (except \$0	n/a meter, calculated fro npliance. for one-time avoid	\$0 om the date of ded costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling		the ir	ivestigation to 1	0.00 unt to I the esti enterin	\$0 install a new well rimated date of coring item (except \$0 \$0	n/a neter, calculated fro npllance. for one-time avoid \$0 \$0	\$0 om the date of ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment		the ir	ivestigation to 1	0.00 unt to I the esti enterin 0.00 0.00 0.00	\$0 Install a new well remarked date of correct ing item (except \$0 \$0 \$0 \$0	n/a meter, calculated fro npliance. for one-time avoid \$0 \$0 \$0	\$0 om the date of ded costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		the ir	ivestigation to 1	0.00 unt to I the esti enterin 0.00 0.00 0.00	s0 Install a new well remarked date of corrections of them (except \$0 \$0 \$0 \$0 \$0	n/a neter, calculated fro npliance. for one-time avoid	\$0 om the date of ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		the ir	ivestigation to 1	0.00 unt to i the esti 0.00 0.00 0.00 0.00	\$0 Install a new well remarked date of correct so	n/a neter, calculated fro npliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 om the date of ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		the ir	ivestigation to 1	enterin 0.00 enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	s0 Install a new well reimated date of core Install a new well reimated date of core Install a new well reimated date of core Install a new well reimated and reimated date of core Install a new well reimated and reimated date of core Install a new well reimated and reimated date of core Install a new well reimated and reimated date of core Install a new well reimated date of core Install a new we	n/a neter, calculated fro npliance. for one-time avoid	\$0 om the date of ded costs) \$0 \$0 \$0 \$0 \$0 \$0

Carta of Cettoria Carter Resolution

Screening Date		Docket No. 2011-0856-PWS-E		PCW
Respondent Case ID No.				on 2 (September 2002) vision October 30, 2008
Reg. Ent. Reference No.				, , , , , , , , , , , , , , , , , , , ,
Media [Statute]				
Enf. Coordinator Violation Number	Epifanio Villarreal 4			
Rule Cite(s)		Code §§ 290.46(f)(2) and 290.46(f)(3)(B)(vi)		
1	Failed to maintain co	pies of Facility records that are kept on file or st	ored	
	electronically and made a	ccessible for review during inspections. Specifica	lly, at the	
Violation Description		 it was noted that the Respondent falled to pro- backflow prevention assembly test report for 		-
A CONTRACTOR OF THE CONTRACTOR	located at the wastewate	er treatment plant and at Dr. Cofer Dental Clinic	at 1502	
an area		North Brazos Street in Whitney.		***************************************
A contraction of the contraction		Base	e Penalty[\$1,000
>> Environmental, Proper	ty and Human Healt	h Matrix		en amar
Release	Harm Major Moderate			unumnin
OR Actual				uni ibra
Potential		Percent 0%		
>>Programmatic Matrix				
Falsification	Major Moderate	Minor Percent 1%		10:11:00000
				Assessment
Matrix	4:34:42700/			
Notes	At least 70% of	f the rule requirement was met.		***************************************
			+000	manana.
		Adjustment	\$990	Vicinity of the second
			L	\$10
Violation Events				E. D.
Number of V	/iolation Events 1	14 Number of violation of	days	
	daily			
·	weekly monthly			
mark only one with an x	quarterly	Violation Base	Penalty	\$10
	semiannual annual			
	single event x			
				de se de
	One singl	e event is recommended.		***************************************
				-
Good Faith Efforts to Comp		/o Reduction NOV to EDPRP/Settlement Offer		\$0
	Extraordinary Before NOV	NOV to EDPRP/Settlement Offer		
	Ordinary			
	N/Al <u>x</u>	(mark with x)		ar anna
	Notes The Respon	ndent does not meet the good faith criteria for this violation.		
		Violation	Subtotal	\$10
Economic Benefit (EB) for	this violation	Statutory Limit	Test	
	ed EB Amount	\$2 Violation Final Pena		\$11
Estillate				\$50
	inis v	iolation Final Assessed Penalty (adjusted fo	,, mms)_	الاحد

Respondent		•					
Case ID No.						하는 경험하는 선생님.	
eg. Ent. Reference No.	RN102688934				in the graduation ≠		
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	4		ver veries over property of the security to				Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
iteni pescripcion	NO COMMISSION			3810000133333		4848barruss: ucos tessueces	BB000000000000000000000000000000000000
n.,							
Delayed Costs	[1	i -	0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	28-Apr-2011	12-May-2011	0.04	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0
Permit Costs Other (as needed)	preventiör Investigatio	assembly test re	e estimated am port for the was compliance. The	0.00 0.76 ount to stewate delayed	\$0 \$2 develop a record- r treatment plant, d cost includes the	n/a n/a keeping system for , calculated from the e estimated amount	\$0 \$2 the backflow date of the to develop a
Permit Costs	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention estigat	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test rej ion to the estimat	n/a n/a -keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce.
Permit Costs Other (as needed) Notes for DELAYED costs	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention estigat	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test rej ion to the estimat	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs)
Permit Costs Other (as needed)	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention vestigat enterir 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat ig item (except \$0	n/a n/a -keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention restigat enterin 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test rej ion to the estimat ag item (except \$0 \$0	n/a n/a n/a keeping system for , calculated from the e estimated amount oort for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0	\$0 \$2 the backflow a date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention vestigat enterin 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat ag item (except \$0 \$0 \$0	n/a n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 ount to stewate delayed vention vestigat enterin 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes th assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a keeping system for calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow a date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat gitem (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a -keeping system for , calculated from the e estimated amount port for Dr. Cofer's l ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow a date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat gitem (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a -keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow a date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye prevention investigation record-kee	d cost includes the assembly test re on to the date of c ping system for the alculated from the	e estimated ame port for the was compliance. The he backflow pre e date of the inv	0.00 0.76 cunt to stewate delayer vention estigat enterin 0.00 0.00 0.00 0.00	\$0 \$2 develop a record- r treatment plant, d cost includes the assembly test re- ion to the estimat g item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a keeping system for , calculated from the e estimated amount port for Dr. Cofer's I ed date of complian for one-time avoi \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 the backflow date of the to develop a Dental Clinic, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	2-Jun-2011	Docket No. 2011-0856-PWS-E	PCW
Respondent	•		levision 2 (September 2002)
Case ID No. Reg. Ent. Reference No.		PCI	V Revision October 30, 2008
Media [Statute]		· · · · · · · · · · · · · · · · · · ·	
Enf. Coordinator			
Violation Number Rule Cite(s)	(harmonia de la constantina della constantina de		
Rule Cite(s)	30	Tex. Admin. Code § 290.44(h)(4)	
	Failed to test all backflow	prevention assemblies on an annual basis by a recogniz	ed
		and certify that they are operating within specification	
Violation Description		if the investigation, it was documented that the reduce ow prevention assembly ("RPBA") installed at the U Was	
		Brazos Street was last tested on October 23, 2009 and	2003 (Carlotte Carlotte Carlot
		e Whitney Medical Center at 200 North San Jacinto Stre is last tested on October 23, 2009.	; ; ;
		Base Pena	ilty \$1,000
>> Environmental, Proper	ty and Human Healt	h Matrix	
	Harm		
Release OR Actual		Minor	
Potential		Percent 25%	* - +
>>Programmatic Matrix			
Falsification	Major Moderate	Minor	
		Percent 0%	
		mblies on an annual basis would not ensure the device a a reverse flow of a significant amount of contaminant	
		ld exceed levels that are protective of human health.	
		Adjustment \$	750
			\$250
<u> </u>			
Violation Events			
Number of	Violation Events 2	365 Number of violation days	
	daily		
	weekly		
mark only one	monthly	W. L.	11tv \$500
with an x	quarterly semiannual	Violation Base Pena	iity
	annual x		
	single event		
			150.
Two anr	iual events are recommend	ed (one event for each location that was not tested).	
		i i i i i i i i i i i i i i i i i i i	
Good Faith Efforts to Com	ply 0.0	% Reduction	\$0
	Before NO\ Extraordinary	/ NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A X	(mark with x)	
	The Respo	ondent does not meet the good faith criteria for	
	Notes	this violation.	
	L	Violation College	+=1 +=00
		Violation Subto	
Economic Benefit (EB) for	this violation	Statutory Limit Test	
Estimat	ed EB Amount	\$68 Violation Final Penalty To	otal \$525
		violation Final Assessed Penalty (adjusted for lim	its) \$525
	1115	, and a second control of the second control	,

Violation No. Item Description					and the second of the second o	Percent Interest	Years of Depreciation
Item Description						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
				199991111911111			
Delayed Costs							
Equipment				0,00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0 #0
Engineering/construction		<u> </u>		0.00	\$0	\$0 n/a	\$0 \$0
Land				0.00	\$0 \$0	n/a	<u>\$0</u> \$0
Record Keeping System		1		0.00	50 50	n/a	\$0 \$0
Training/Sampling		-		0.00	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	***********	n/a	\$0
Notes for DELAYED costs							
Avoided Costs	ANNUAL	IZE [1] avoided	costs before			for one-time avoid	ded costs) \$0
Disposal		-		0.00	\$0 \$0	\$0	\$0 \$0
					p DU		and the second property of the property of the second property of th
Personnel				กกก	40	1 50	\$0
pection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
pection/Reporting/Sampling Supplies/equipment						\$0 \$0	\$0 \$0
pection/Reporting/Sampling				0.00	\$0	\$0	\$0

Screer	ning Date	2-Jun-2011	Docket No.	. 2011-0856-PWS-E		PCW
		City of Whitney	010000104400000000000000000000000000000	~	Policy Revision	2 (September 2002)
	se ID No.				PCW Revision	on October 30, 2008
Reg. Ent. Refei		Public Water Supply				
		Epifanio Villarreal				
	on Number	the state of the s				
8	lule Cite(s)	30 Tex. A	Admin. Code § 290.44(h)(1)(A) and (h)(1)(B)		
			packflow prevention assembl			
			shments where an actual or p mplement an internal cross-o			annininin
Violation l	Description	Specifically, at the time	of the investigation, it was do	ocumented that ther	e was not a	W
		backflow prevention ass	sembly or an air gap installed et. Additionally, it was also no	at Whitney Veterina of that there is not	iry Clinic at I an internal	
·			ection control program in eff			
		. :		Ra	se Penalty	\$1,000
				Da	se remarky	71,000
>> Environment	al, Proper	ty and Human Hea				er.
	Release					·
OR	Actual			Percent 25%		
	Potential	<u>x</u> J			ئ	
>>Programmation		Major Madan	eto Minor			
	Falsification	Major Modera	ate Minor	Percent 0%		THE STATE OF THE S
بيط ا						
	Failing to	provide a backflow preve	ention assembly or air gap an here an actual or potential ha	d having an internal	Cross-	
Matrix Notes a	connection pr nd siphonage	rogram at connections will to occur; thereby expos	ing customers to significant a	amounts of contamin	ation which	
		could exceed leve	ls that are protective of hum	an health.		
			Ac	ljustment	\$750	****
			·			\$250
					-	\$230
Violation Events						
	Number of \	Violation Events 2	36	Number of violation	n days	
		daily				миним
		weekly				
1	mark only one	monthly x quarterly		Violation Ba	se Penalty	\$500
	with an x	semiannual				
		annual single event				-
	Two monthly		ed from the date of the invest	tigation, April 28, 20	11, to the	
		date	of screening, June 2, 2011.			-
Good Faith Effor	te ta Cam	niv o	.0% Reduction			\$0
GOOG FAILII CIIOI	is to com	Before N		ffer		· · · · · · · · · · · · · · · · · · ·
		Extraordinary				200
		Ordinary N/A x	(mark with x)			
			pondent does not meet the g	nood faith criteria for	7	-
		Notes	this violation.			
			<u></u>	Violatio	n Subtotal ்	\$500
	+ /EO\ £	Altinoitaleatan		Statutory Lim		
Economic Benefi	Statistische Amerika (Statistische Statistische Mitter Statistische Statistische Statistische Statistische Sta	page-10-10-10-10-10-10-10-10-10-10-10-10-10-			,	1,555
	Estimat	ed EB Amount	\$31	Violation Final Per	naity Total	\$525
		This	s violation Final Assessed	Penalty (adjusted	for limits)	\$525

Media Violation No.	RN102688934 Public Water S 6	Supply				Percent Interest	Years of Depreciation
						5.0	**********
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					1	
Delayed Costs		V 10		 .		#20	L 431
Equipment	\$577	28-Apr-2011	1-Feb-2012	0.76	\$1	\$29 \$0	\$31 \$0
Buildings				0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Other (as needed)		1		0.00	\$0 \$0	<u>\$0</u> \$0	\$0 \$0
Engineering/construction	ļ	 		0.00	\$0 \$0	n/a	\$0
Land		 		0.00	\$0 \$0	n/a	\$0
Record Keeping System		 		0.00	\$0 \$0	n/a	\$0
Training/Sampling		+		0.00	\$0 \$0	n/a	\$0
Remediation/Disposal		-		0.00	\$0 \$0	n/a	\$0
Permit Costs							
Other (as needed)	The delayed c	ost includes the esterinary Clinic and	stimated amour	0,00 nt to ins	\$0 stall a backflow prosternal cross-conn	n/a evention assembly i	\$0 or air gap at the ram in effect,
Notes for DELAYED costs	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to ins quate in restigat	stall a backflow pro nternal cross-conn ion to the estimate	n/a evention assembly i ection control prog ed date of complian	or air gap at the ram in effect, ce.
Notes for DELAYED costs Avoided Costs	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0,00 nt to ins quate i restigat	stall a backflow pro nternal cross-conn ion to the estimati g item (except t	n/a evention assembly inection control proged date of compliantor one-time avoi	or air gap at the ram in effect, ce. ded costs)
Notes for DELAYED costs Avoided Costs Disposal	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to insignate in estigate enterir	stall a backflow prenternal cross-conflor to the estimating item (except 1)	n/a evention assembly rection control proged date of complian for one-time avoi	or air gap at the ram in effect, ce. ded costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to insequate investigate enterir 0.00 0.00	stall a backflow pre- nternal cross-con- ion to the estimate ig item (except 1 \$0 \$0	n/a evention assembly of the control progred date of complian for one-time avoi	or air gap at the ram in effect, ce. ded costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insequate investigate enterir 0.00 0.00 0.00	stall a backflow pre- nternal cross-conr ion to the estimate in item (except in \$0 \$0 \$0	n/a evention assembly a section control proged date of complian for one-time avoi \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/equipment	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to insequate investigate enterir 0.00 0.00 0.00 0.00	stall a backflow protection to the estimate state of the estimate	n/a evention assembly intection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to insequate it estigate enterin 0.00	stall a backflow prenternal cross-conrigion to the estimate so the stimate so the stimate so the solution of the solution solutio	n/a evention assembly inection control progred date of compilar for one-time avoices \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 It to insequate investigate enterir 0.00 0.00 0.00 0.00	stall a backflow protection to the estimate state of the estimate	n/a evention assembly intection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Whitney Ve	terinary Clinic and alculated from the	having an ade date of the inv	0.00 nt to insquate in restigation of the content	stall a backflow pre- nternal cross-conrigion to the estimate in the estimate state of the state	n/a evention assembly rection control progred date of compliant for one-time avoices \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	or air gap at the ram in effect, ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		Docket No. 2011-0856-PWS-E	PCW
Respondent			n 2 (September 2002)
Case ID No. Reg. Ent. Reference No.		PCW Revi	sion October 30, 2008
Media [Statute]			
Enf. Coordinator			0
Violation Number			
Rule Cite(s)		30 Tex. Admin. Code § 290.46(t)	
	facilities that contains t	e sign at the Facility's production, treatment and storage he name of the Facility and emergency telephone numbers	
Violation Description	investigation, it was note provided the name of th	official can be contacted. Specifically, at the time of the ed that the Railroad well site did not have a sign posted that e water supply and an emergency telephone number where responsible official can be contacted.	
		Base Penalty	\$1,000
>> Environmental, Prope	rty and Human Hea	lth Matrix	to constitue
	Harn	1	****
Release OR Actual		ste Minor	
Potentia		Percent 0%	
>>Programmatic Matrix Falsification	Major Modera	ate Minor	
1 districation	Trajor modera	Percent 10%	
Lanca de la constitución de la c			
Matrix			
Notes	More than 70%	of the rule requirement was not met.	
La Minigrani Agalongiano			
		Adjustment \$900	
			\$100
		-	
Violation Events			
		Number of violation days	
	dally weekly		#CMCOL
	monthly		
mark only one with an x	quarterly	Violation Base Penalty	\$100
	semiannual annual		
	single event x		***************************************
Barrier and a second			
	One si	ngle event is recommended.	
Artineppeopera (2012230014-3020001214-201001216000000000000000000000000000000			\$25
Good Faith Efforts to Com	iply 25. Before N	.0% Reduction NOV to EDPRP/Settlement Offer	\$2.7
	Extraordinary		
	Ordinary x		
	N/A	(mark with x)	
	Notes The Re	spondent achieved compliance on May 12, 2011.	
	Research and the second and the seco	Violation Subtotal	\$75
E E E E	. Hair isininkirra	Statutory Limit Test	
Economic Benefit (EB) fo		-	400
Estima	ted EB Amount	\$0 Violation Final Penalty Total	\$80
	Thi	s violation Final Assessed Penalty (adjusted for limits)	\$80

Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation
Violation No.						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$				o estable established		
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	28-Apr-2011	12-May-2011	0.04	\$0	\$0	<u>\$0</u>
Engineering/construction				0.00	\$0 ***	\$0	\$0
Land				0.00	\$0 \$0	n/a - /-	\$0 \$0
Record Keeping System	-	ļ		0.00	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling		4		0.00	\$0 \$0		\$0 \$0
Remediation/Disposal		 				n/a	
Permit Costs Other (as needed)	The dela	yed cost includes	the estimated a	0.00 0.00 mount	\$0 \$0 to provide the na	n/a n/a me of the water sup	\$0 \$0 ply and an
Permit Costs Other (as needed) Notes for DELAYED costs	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ed at t	\$0 \$0 to provide the na he Railroad well s date of compliance	n/a n/a ne of the water sup ite, calculated from a.	\$0 \$0 ply and an the date of the
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ed at t to the	\$0 \$0 to provide the na he Railroad well s date of compliance ig item (except	ri/a n/a ne of the water sup te, calculated from a. for one-time avolu	\$0 \$0 ply and an the date of the
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	emergency to	elephone number	on the sign post investigation	mount ed at to the other of the	\$0 \$0 to provide the na he Railroad well s date of compliance	n/a n/a ne of the water sup ite, calculated from a.	\$0 \$0 ply and an the date of the
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	emergency to	elephone number	on the sign post investigation	mount ed at to the entering 0.00 0.00	\$0 \$0 to provide the na he Railroad well s date of compliance ig item (except \$0	ri/a n/a ne of the water sup ite, calculated from 2. for one-time avoid	\$0 \$0 ply and an the date of the ded costs) \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	emergency to	elephone number	on the sign post investigation	mount ed at to the other of the	\$0 \$0 to provide the nathe Railroad well state of compliance ing item (except \$0 \$0	n/a n/a n/a me of the water sup ite, calculated from a for one-time avoid \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ed at t to the enterir 0.00 0.00	\$0 \$0 to provide the nather Railroad well's date of compliance ig item (except \$0 \$0	n/a n/a n/a me of the water sup tte, calculated from a for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ed at t to the 0.00 0.00 0.00 0.00	\$0 \$0 to provide the nather Railroad well's date of compliance gitem (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a me of the water sup tte, calculated from a for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ed at t to the enterin 0.00 0.00 0.00 0.00	\$0 \$0 to provide the nather Railroad well's date of compliance in item (except \$0 \$0 \$0 \$0 \$0	rr/a n/a n/a me of the water sup tte, calculated from s. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ced at t to the centeria 0.00 0.00 0.00 0.00 0.00	\$0 \$0 to provide the nather Railroad well's date of compliance gitem (except \$0 \$0 \$0 \$0 \$0	ri/a n/a n/a me of the water sup tte, calculated from a. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	emergency to	elephone number	on the sign post investigation	0.00 0.00 mount ced at t to the centeria 0.00 0.00 0.00 0.00 0.00	\$0 \$0 to provide the nather Railroad well's date of compliance gitem (except \$0 \$0 \$0 \$0 \$0	ri/a n/a n/a me of the water sup tte, calculated from a. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ply and an the date of the ded costs) \$0 \$0 \$0 \$0 \$0

Screening Date	2-Jun-2011	Docket No. 2011-0856-PWS-E	PCW
Respondent			Policy Revision 2 (September 2002)
Case ID No. Reg. Ent. Reference No.			PCW Revision October 30, 2008
Media [Statute]			
Enf. Coordinator			
Violation Number Rule Cite(s)			
ittore energy	30 Tex.	Admin. Code § 290.42(e)(4)(A)	
Violation Description	testing for chlorine leakage ti	le of fresh ammonia solution (or approved ed nat is readily accessible outside the chlorinat	or room
	and immediately availabl	e to the operator in the event of an emerger	ıcy.
		Base	Penalty \$1,000
>> Environmental, Proper		atrix	
Release	Harm Major Moderate	Minor	
OR Actual		x Percent 5%	
Potential		Percent 5%	·
>>Programmatic Matrix	Madauska Madauska	Mines	annatur.
Falsification	Major Moderate	Minor Percent 0%	
Failure to pro	ride a bottle of fresh ammonia :	solution for testing for chlorine leakage may	not allow
Matrix the opera Notes chlorination	tor to detect and locate small li room could be exposed to an in	eaks in the chlorination facilities. As a result significant amount of contaminants which we	ould not
	exceed levels pro	tective of human health.	
Lancing and the second		Adjustment	\$950
		Adjustillent.	
			\$50
Violation Events			
		14 Number of violation of	days
	dally		orano-oran
	weekly		***************************************
mark only one	monthly	Violation Base	Penalty \$50
with an x	quarterly semiannual	Violation Base	
	annual		·
	single event x		
	Ope single o	ent is recommended.	
	One single ex	CHI IS COMMING IN THE	
Good Faith Efforts to Com	ply 25.0% R	aduction	\$12
GOOD FAILH CHOILS TO COM	Before NOV N	OV to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary x N/A (r	nark with x)	
			WWW.
	Notes The Responde	nt achieved compliance on May 12, 2011.	
	L		
		Violation	
Economic Benefit (EB) for	this violation	Statutory Limit	Test
Estimat	ed EB Amount	\$0 Violation Final Pena	alty Total \$41
		tion Final Assessed Penalty (adjusted fo	or limits) \$50
			ĺ

	E	conomic	Benefit '	Woi	rksheet		
Respondent	City of Whitne	У					
Case ID No.						a Marija Barana	
ea, Ent. Reference No.	RN102688934				77 8 7 1 8		
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	8			cialeicicis latatetetetetete			Depreciation
						5,0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
41-11 F -9-11 F 515 11 11 11 11 11 11 11 11 11 11 11 11	SIAMENTER CONTRACTOR						
Delayed Costs_							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$25	28-Apr-2011	12-May-2011	0.04	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
				0.00	\$0	n/a	\$0
Remediation/Disposal							
				0.00	\$0	n/a	\$0
Remediation/Disposal	The delicate	rest ingledes the	actimated amou	0.00 0.00	\$0 \$0	n/a n/a	\$0.
Remediation/Disposal Permit Costs		from the	e date of the inv	0.00 0.00 nt to p estigat	\$0 \$0 rovide a bottle of t ion to the date of	n/a n/a fresh ammonia solu	\$0 tion, calculated

Screening Date		Docket No. 2011-0856-PWS-E	PCW
Respondent			Policy Revision 2 (September 2002)
Case ID No. Reg. Ent. Reference No.			PCW Revision October 30, 2008
Media [Statute]			
Enf. Coordinator	Epifanio Villarreal		
Violation Number	And the state of t		
Rule Cite(s)	30	Tex. Admin. Code § 290.42(e)(4)(C)	
Violation Description	screened vents for al Specifically, at the time	quate ventilation which includes high level and flo Il enclosures in which chlorine gas is being stored e of the investigation, it was documented that the th Plant and the Main Plant did not have high leve	or fed. chlorine
		Bas	se Penalty \$1,000
_			-
>> Environmental, Proper	ty and Human Heal Harm		
Release	Major Modera	te Minor	
OR Actual Potential		Percent 25%	
, otericiai	<u></u>	2370	
>>Programmatic Matrix		Mara	•
Falsification	Major Modera	te Minor Percent 0%	
			1
Matrix Failing to prov	ide adequate ventilation c	ould expose employees of the Facility to significar	nt amounts
Notes of	chlorine gas that would ex	ceed levels that are protective of human health.	
			5-8-4-4-1-2
		Adjustment	\$750
			\$250
Violation Events			
Number of \	Violation Events 2	14 Number of violation	days
The state of the s	daily weekly		
i mark anti-an	monthly x		
mark only one with an x	quarterly	Violation Bas	se Penalty \$500
	semiannual annual	33000 55000 88000	
	single event		
			200 200 200 200 200 200 200 200 200 200
Two monthly		d from the date of the investigation, April 28, 201 compliance, May 12, 2011.	11, to the
	date of	compilatice, May 12, 2011.	
Good Faith Efforts to Com	ply 25.0	0% Reduction	\$125
dood i unii ciio es eo ooni	Before NO		
Van de la constant de	Extraordinary		
	Ordinary x N/A	(mark with x)	
	,,,,		
	Notes The Res	pondent achieved compliance on May 12, 2011.	
· ·		Violation	n Subtotal \$375
Economic Benefit (EB) for	this violation	Statutory Limi	t Test
	p	•	
Estimat	ed EB Amount	\$1 Violation Final Pen	alty Total \$400
	This	violation Final Assessed Penalty (adjusted	for limits) \$400

	City of Whitne	У			Transfer Village		
Case ID No.						i y Massagatin	
eg. Ent. Reference No.							A Databalla
Media	Public Water S	Supply			Company to the second	A	Years of
Violation No.					The state of the state of	Percent Interest	Depreciation
Violation No.						5.0	1
	Ttom Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		Dute Required	i iiioi Data				
ttem Description	і ню сопшная ог ф						
Delayed Costs							
Equipment	\$500	28-Apr-2011	12-May-2011	0.04	\$0	\$1	\$1
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	<u>\$0</u>
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)							
, , , , , , , , , , , , , , , , , , ,	The delayed	costs include the	estimated amo	<u> 0.00 </u> int to ir	l \$0 nstall a hìgh level :	n/a vent at the North ar	s0 nd Main Plants,
Notes for DELAYED costs		calculated fro	m the date of t	int to in	nstall a high level stigation to the da	vent at the North ar te of compliance.	nd Main Plants,
Notes for DELAYED costs Avoided Costs		calculated fro	m the date of t	int to in	nstall a high level stigation to the da	vent at the North ar	nd Main Plants,
Notes for DELAYED costs		calculated fro	m the date of t	unt to in ne inve	nstall a high level stigation to the da	vent at the North ar te of compliance. for one-time avoi	nd Main Plants,
Notes for DELAYED costs Avoided Costs Disposal Personnel		calculated fro	m the date of t	int to interior	nstall a high level stigation to the da	vent at the North ar te of compliance. for one-time avoid	ded costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel		calculated fro	m the date of t	enterin 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoides \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling		calculated fro	m the date of t	enterin 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da	vent at the North ar te of compliance. for one-time avoi \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel respection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		calculated fro	m the date of t	enterin 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoi \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel repection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel repection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		calculated fro	m the date of t	enterii 0.00 0.00 0.00 0.00 0.00	nstall a high level stigation to the da ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vent at the North ar te of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0

Screening Date		PCW
Respondent		sion 2 (September 2002)
Case ID No. Reg. Ent. Reference No.		evision October 30, 2008
Media [Statute]		
Enf. Coordinator		
Violation Number	10	
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)(4)	
	Failed to provide all water storage tanks with a water level indicator located at the	
Violation Description	tank site. Specifically, at the time of the investigation, it was documented that the pressure gauge on the elevated tank at the North Plant was not functioning. Additionally, there was not a water level indicator for the ground storage tank at the North Plant.	
·	Base Penalty	\$1,000
>> Environmental, Proper	ty and Human Health Matrix	
Release	Harm Major Moderate Minor	
OR Actual		
Potential	Y Percent 10%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor Percent 0%	
Eallyro to pro	vide the storage tanks with properly working water level indicators could prevent the	1
	from making necessary water usage calculations and adjustments and could expose	
Notes customers to	a significant amount of contaminants which would not not exceed levels protective of human health.	
	Tunon react	<u>4</u>
	Adjustment \$900	<u> </u>
		\$100
Violation Events		
	/iolation Events 2 35 Number of violation days	
	daily	
	weekly	
mark only one	monthly Violation Base Penalty Violation Base Penalty	\$200
with an x	quarterly Violation Base Penalty Semiannual	\$200
	annual	
	single event x	
	Two single events are recommended (one event per tank).	
Good Faith Efforts to Com	25.0% Reduction	\$50
Good Faith Ellons to Com	Before NOV NOV to EDPRP/Settlement Offer	400
	Extraordinary Extraordinary	
	Ordinary X	
	N/A (mark with x)	
	Notes The Respondent achieved compliance on May 12, 2011.	
	Violation Subtota	I \$150
Economic Benefit (EB) for	this violation Statutory Limit Test	
-	ed EB Amount \$1 Violation Final Penalty Tota	 \$160
Estimat	This violation Final Assessed Penalty (adjusted for limits	
	i ilis violation Final Assessed Fenalty (adjusted for infints	, , , , , , , , , , , , , , , , , , , ,

	Public Water S	I Supply			and the said	Percent Interest	Years of Depreciation
Violation No.	10					5.0	Depreciation 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved		EB Amount
Item Description			i mai Dute	• • •			
Delayed Costs				i 			
Equipment	\$400	28-Apr-2011	12-May-2011	0.04	\$0	\$1	\$1
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$U \$0	\$0 \$0	<u>50</u> \$0
Engineering/construction				0.00	<u>\$0</u> \$0	∌υ n/a	\$0 \$0
Land				0.00	<u> </u>	n/a	\$0 \$0
Record Keeping System		-		0.00	<u>50</u> \$0	n/a	\$0 \$0
Training/Sampling		-		0.00	so	n/a	\$0
Remediation/Disposal				0.00	\$0 \$0	n/a	\$0
Permit Costs							
Other (as needed)	The delayed	i cost includes the	estimated amo	0.00 l	\$0 guip the elevated	n/a tank and ground st	\$0 orage tank at
Other (as needed) Notes for DELAYED costs	The delayed the North Pla	d cost includes the int with operationa	al water level in	0.00 unt to e dicators	\$0 guip the elevated	n/a	\$0 orage tank at
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Compliance History

Customer/Respondent/Owner-Operator:

CN601048119

City of Whitney

Classification: **AVERAGE**

Rating: 3.11

Regulated Entity:

RN102688934

CITY OF WHITNEY

Classification:

Site Rating:

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY

REGISTRATION

1090006

WATER LICENSING

LICENSE

1090006

Location:

105 CLEVELAND AVENUE, WHITNEY, HILL COUNTY, TEXAS

TCEQ Region:

REGION 09 - WACO

Date Compliance History Prepared:

June 02, 2011

Compliance Period:

June 02, 2006 to June 02, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Epi Villarreal

Agency Decision Requiring Compliance History: Enforcement

Phone:

(361) 825-3425

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership/operator of the site during the compliance period? No

3. If Yes, who is the current owner/operator?

N/A

4. If Yes, who was/were the prior owner(s)/operator(s)?

N/A

5. When did the change(s) in owner or operator occur?

N/A

Components (Multimedia) for the Site:

- Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government. N/A
- B. Any criminal convictions of the state of Texas and the federal government.

C. Chronic excessive emissions events.

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
 - 1. 07/06/2007 (558815)
 - 2 08/07/2007 (571356)
 - 3 10/09/2007 (596701)
 - 4 01/09/2008 (612972)
 - 5 05/23/2011 (913011)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

07/06/2007 (558815) CN601048119 Date: Self Report? NO Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.44(h)(1)(A) Citation: Failure to install backflow prevention assemblies or an air gap at all residences or Description: establishments where an actual or potential contamination hazard exists. Classification: Self Report? Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(D)(iii) Description: Failure to provide two or more service pumps at each pump station or pressure plane. NO Self Report? Classification: 30 TAC Chapter 290, SubChapter D 290.44(h)(4) Citation: Failure to test at least annually all backflow prevention assemblies which are Description: installed to provide protection against health hazards. Classification: NO Self Report? 30 TAC Chapter 290, SubChapter D 290.46(f)(2) Citation: Failure to provide water system records that needed to be reviewed at the time of Description: the investigation. Self Report? Classification: Minor 30 TAC Chapter 290, SubChapter D 290.46(n)(2) Citation: Failure to provide an up-to-date distribution system map. Description: NO Classification: Minor Self Report? 30 TAC Chapter 290, SubChapter F 290.109(c)(1)(B) Citation: Failure to collect samples for bacteriological analysis according to the system's Description: monitoring plan. NO Self Report? Classification: Minor 30 TAC Chapter 290, SubChapter D 290.38(25) Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O) Description: Failure to provide an intruder-resistant fence to protect the well. Classification: NO Minor Self Report? 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) Citation: Failure to screen the well casing vent. Description: Self Report? NO Classification: 30 TAC Chapter 290, SubChapter D 290.43(c)(4) Citation: Failure to equip the below ground storage tank with a water level indicator. Description: Self Report? NO Classification: Minor 30 TAC Chapter 290, SubChapter D 290.38(25) Citation: 30 TAC Chapter 290, SubChapter D 290.43(e) Description: Failure to provide an intruder-resistant fence to protect the below ground storage Environmental audits. N/A Type of environmental management systems (EMSs). Voluntary on-site compliance assessment dates. N/A Participation in a voluntary pollution reduction program. N/A Early compliance.

G.

H.

J.

N/A Sites Outside of Texas N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	8	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CITY OF WHITNEY	§	
RN102688934	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2011-0856-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Whitney ("the Respondent") under the authority of Tex. Health & Safety Code ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a municipal public water supply at 105 Cleveland Avenue, Whitney, Hill County, Texas (the "Facility") that has approximately 965 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about May 24, 2011.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Dollars (\$2,000) of the administrative penalty and Five Hundred Dollars (\$500) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order.

The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility as of May 12, 2011:
 - a. Provided the Facility's chlorine residual monitoring log for the month of April 2011 that showed the disinfectant residual was being monitored at representative locations in the distribution system at least once per day;
 - b. Provided the backflow prevention assembly test report for the device located at the wastewater treatment plant;
 - c. Posted a legible sign at the Facility's Railroad well site that contains the name of the water supply and emergency telephone numbers where a responsible official can be contacted;
 - d. Installed high level vents for the chlorine enclosures at the North Plant and the Main Plant;
 - e. Provided a small bottle of fresh ammonia solution that is readily accessible outside the chlorinator room;
 - f. Installed a water level indicator for the elevated tank and ground storage tank at the North Plant; and
 - g. Implement a protocol to ensure that all necessary raw water samples are collected and submitted prior to placing a reworked well back into service.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to collect and submit raw water samples for microbiological analysis prior to placing existing wells that were reworked back into service, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(F)(i), as documented during an investigation conducted on April 28, 2011.
- 2. Failed to monitor the disinfectant residual at representative locations throughout the distribution system at least once per day, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(4)(B), as documented during an investigation conducted on April 28, 2011.
- 3. Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(N), as documented during an investigation conducted on April 28, 2011.
- 4. Failed to maintain copies of Facility records that are kept on file or stored electronically and made accessible for review during inspections, in violation of 30 Tex. ADMIN. CODE §§ 290.46(f)(2) and 290.46(f)(3)(B)(vi), as documented during an investigation conducted on April 28, 2011.
- 5. Failed to test all backflow prevention assemblies on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, in violation of 30 Tex. Admin. Code § 290.44(h)(4), as documented during an investigation conducted on April 28, 2011.
- 6. Failed to ensure that a backflow prevention assembly or an air gap is installed at all residences and establishments where an actual or potential contamination hazard exists and failed to implement an internal cross-connection control program, in violation of 30 Tex. Admin. Code § 290.44(h)(1)(A) and (h)(1)(B), as documented during an investigation conducted on April 28, 2011.
- 7. Failed to post a legible sign at the Facility's production, treatment and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted, in violation of 30 Tex. ADMIN. CODE § 290.46(t), as documented during an investigation conducted on April 28, 2011.
- 8. Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in violation of 30 Tex. Admin. Code § 290.42(e)(4)(A), as documented during a record review conducted on April 28, 2011.
- 9. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed, in violation of 30

II. ALLEGATIONS

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- 3. Failed to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(N), as documented during an investigation conducted on April 28, 2011.
- 4. Failed to maintain copies of Facility records that are kept on file or stored electronically and made accessible for review during inspections, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2) and 290.46(f)(3)(B)(vi), as documented during an investigation conducted on April 28, 2011.
- 5. Failed to test all backflow prevention assemblies on an annual basis by a recognized backflow assembly tester and certify that they are operating within specifications, in violation of 30 Tex. Admin. Code § 290.44(h)(4), as documented during an investigation conducted on April 28, 2011.
- 6. Failed to ensure that a backflow prevention assembly or an air gap is installed at all residences and establishments where an actual or potential contamination hazard exists and failed to implement an internal cross-connection control program, in violation of 30 Tex. Admin. Code § 290.44(h)(1)(A) and (h)(1)(B), as documented during an investigation conducted on April 28, 2011.
- 7. Failed to post a legible sign at the Facility's production, treatment and storage facilities that contains the name of the Facility and emergency telephone numbers where a responsible official can be contacted, in violation of 30 Tex. ADMIN. CODE § 290.46(t), as documented during an investigation conducted on April 28, 2011.
- 8. Failed to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, in violation of 30 Tex. Admin. Code § 290.42(e)(4)(A), as documented during a record review conducted on April 28, 2011.
- 9. Failed to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed, in violation of 30

TEX. ADMIN. CODE § 290.42(e)(4)(C), as documented during an investigation conducted on April 28, 2011.

Failed to provide all water storage tanks with a water level indicator located at the tank site, in violation of 30 Tex. Admin. Code § 290.43(c)(4), as documented during an investigation conducted on April 28, 2011.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Whitney, Docket No. 2011-0856-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Provide an accurate flow measuring device for the Facility's Railroad well, in accordance with 30 Tex. ADMIN. CODE § 290.41;
 - ii. Provide the backflow prevention assembly test report for the device located at Dr. Cofer Dental Clinic located at 1502 North Brazos Street in Whitney, in accordance with 30 Tex. Admin. Code § 290.46;
 - iii. Test the backflow prevention assembly device at the U Wash Car Wash and Lake Whitney Medical Center by a recognized backflow assembly tester and certify that the assemblies are operating within specifications, in accordance with 30 Tex. Admin. Code § 290.44; and
 - iv. Install a reduced pressure principle backflow prevention assembly or an air gap at the Whitney Veterinary Clinic and implement an internal cross-

connection control program, in accordance with 30 Tex. ADMIN. CODE § 290.44;

b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Waco Regional Office Texas Commission on Environmental Quality 6801 Sanger Avenue, Suite 2500 Waco, Texas 76710-7826

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the

Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

- 6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 7. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

City of Whitney

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	9/22/11 Date
agree to the attached Agreed Order on behalf o	the attached Agreed Order. I am authorized to of the entity indicated below my signature, and I herein. I further acknowledge that the TCEQ, in aterially relying on such representation.
 and/or failure to timely pay the penalty amount. A negative impact on compliance history Greater scrutiny of any permit applicatio Referral of this case to the Attorney of additional penalties, and/or attorney fees Increased penalties in any future enforce 	ry ons submitted; General's Office for contempt, injunctive relief, s, or to a collection agency; ement actions; eral's Office of any future enforcement actions; by law.
Kusten Miller Signature	7-29-11 Date
Kristen Muller Name (Printed or typed) Authorized Representative of	Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.